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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,423	11/13/2001	Andrew R. Ferlitsch	10237.12	3540

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EXAMINER
TIV, BACKHEAN

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/008,423	FERLITSCH, ANDREW R.
	Examiner	Art Unit	
	Backhean Tiv	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 March 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-32</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
  application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>3/04, 3/02</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Claims 1-32 are pending in this application.

Information Disclosure Statement

The IDS filed on 3/8/02 and 3/15/04 have been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-16,18,19,24-29,31,32 are rejected under 35 U.S.C. 102(b) as being

anticipated by US Patent 5,559,933 issued to Boswell.

As per claim 1, Boswell teaches a system that provides distributed management

of one or more print jobs within a networked computer environment(Fig.1-4), the system

comprising:

a network(Fig.3);

a plurality of client computer devices connected to the network, wherein the

plurality of client computer devices are configured to participate in bi-directional

communication across the network(Fig.3);

a printing device for processing a print job initiated at one of the plurality of

client computer devices, wherein the printing device is connected to the network(Fig.1-

34);

a broadcast sent from a first client computer device to a second client

computer device across the network, wherein the first and second client computer

devices are of the plurality of computer devices, and wherein at least one of the first

and second client computer devices participates in a centralized management of the

print job(Fig.1-34, col.9, lines 15-49).

As per claim 2, Boswell teaches a system as recited in claim 1, wherein the

broadcast indicates an intent of the first client computer device to participate in a

distributed management of a print job(col.9, lines 23-25).

As per claim 3, Boswell teaches a system as recited in claim 1, wherein the

broadcast indicates an intent to despool print data to the printing device(col.9, lines 23-

34).

As per claim 4, Boswell teaches a system as recited in claim 1, wherein the

broadcast indicates an intent to set a status for the print job(Figs 1-34, col.9, lines 15-

49).

As per claim 5, a system as recited in claim 1, wherein the broadcast indicates

an intent to get a current status for the print job(V Figs 1-34, col.9, lines 15-49).

As per claim 6, a system as recited in claim 1, wherein the broadcast indicates

an intent to set a status on the printing device(Figs 1-34, col.14, lines 30-40).

As per claim 7, a system as recited in claim 1, wherein the broadcast indicates

an intent to get a current status for the printing device(Figs 1-34, col.14, lines 30-40).

As per claim 8, a system as recited in claim 1, wherein the broadcast provides a

request for print queue information(Fig.5, col.10, lines 6-24).

As per claim 9, a system as recited in claim 1, wherein the broadcast provides a request for a print queue change(Fig.5, col.10, lines 6-24).

As per claim 10, a system as recited in claim 1, wherein the broadcast provides a request for administrative authority(col.9, lines 23-25).

As per claim 11, a system as recited in claim 10, wherein the request for administrative authority is over at least one of

(i) a print queue(col.9, line 28);

(ii) a printing device;

(iii) a computer device; and

(iv) a global managerial system configuration.

As per claim 12, 28, Boswell teaches a system that includes a plurality of client computer devices connected to a printing device via a network(Fig.3), a method for processing a print job, the method comprising the steps for:

initiating a first print job at a first client computer device(Figs.1-34, col.13, lines 1-64);

transmitting a first broadcast across the network from the first client computer device to a second client computer device, wherein the first broadcast indicates an intent to despool print data to the printing device that corresponds to the first print job(Figs.1-34, col.13, lines 1-64);

receiving a first response to the first broadcast from the second client computer device(Figs.1-34, col.13, lines 1-64); and

despooling the print data corresponding to the first print job directly from the

first client computer device to the printing device to process the first print job(Figs.1-34, col.13, lines 1-64).

As per claim 13, a method as recited in claim 12, wherein the step for initiating includes the step for determining whether to perform cluster printing, and wherein if the cluster printing is to be performed, utilizing the printing device in performing the cluster printing(col.9, lines 15-49).

As per claim 14, a method as recited in claim 12, wherein the step for initiating includes the step for determining whether to perform intelligent routing, and wherein if the intelligent routing is to be performed, utilizing the printing device in performing the intelligent routing(Fig.24-26).

As per claim 15,16, 29, wherein the step for receiving a response includes the steps for: determining whether the response includes a conflict from the client computer device to despool the print data to the printing device, wherein if the conflict is included in the response, resolving the conflict(Fig.24-26); and determining whether the response includes an objection from the client computer device to despool the print data to the printing device, wherein if the objection is included in the response, resolving the objection(Fig.24-26).

As per claim 18,31, wherein the step for despooling includes using a spooler to despool the print job from at least one print queue to a print processor, and wherein the spooler and the print processor are local to the first client computer device(col.10, lines 6-32).

As per claim 19,32, wherein the step for despooling includes using a print processor to despool the print job from at least one print queue, and wherein the print processor is local to the first client computer device(col.10, lines 6-32).

As per claim 24, a method as recited in claim 12, wherein the step for despooling the print data further includes the steps for:

updating one or more print queues and setting a status of the first print job(col.10, lines 33-50).

As per claim 25, a method as recited in claim 24, wherein the step for despooling the print data further includes the steps for:

removing the first print job from one or more local print queues(col.13, lines 1-30); and removing a remote entry of the first print job from a remote print queue(col.10, lines 33-50).

As per claim 26, a method as recited in claim 25, wherein if the print data corresponding to the first print job is in a printer ready format, the step for despooling the print data further includes the step for using a print processor to send the print data to a port manager(col.13, lines 1-30).

As per claim 27, a method as recited in claim 25, wherein if the print data corresponding to the first print job is in a journaled format, the step for despooling the print data further includes the steps for: using a print processor to play back the journaled data to a printer driver(Figs.1-34); spooling the print data to a spooler(col.13, lines 1-27); and sending the print data to a port manager(col.13, lines 1-64).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 17, 20-23, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over US Patent 5,559,933 issued to Boswell in further view of Office Notice.

Boswell does not explicitly teach as per claim as per claim 17, 30 wherein the

step for receiving includes receiving no response from the second client computer

device.

Office Notice is taken; it would have been obvious to one ordinary skilled in the

art at the time of the invention to modify the teachings of Boswell to include a second

computer to not respond to a request from another computer because the second

computer is busy performing another function or request or is not available to

communicate with the requesting computer.

One ordinary skilled in the art at the time of the invention would have been

motivated to combine the teachings of Boswell and a computer not responding to a

request in order to determine which computer are connected to the network and can

fulfill the request.

Boswell does not explicitly teach as per claim 20, initiating a second print job at a

third client computer device. Boswell however, does teach sending a print job from one

client's computer to another client's computer(Fig.1, col.9, lines 15-49) and ordering the first broadcast and a second broadcast on a queue and managing the queue(Fig.5).

Office Notice is taken; it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Boswell, to be able to send a second print job to a third client computer device in order for a user to print different files on different computers.

One ordinary skilled in the art at the time of the invention would have been motivated to combine Boswell, and sending another print job to a third client computer device in order for a user to print multiple files on different printers.

As per claim 21. A method as recited in claim 20, wherein the step for managing is performed by at least one of: (i) a print driver(Boswell, Fig.3); and (ii) a print assistant(Boswell, col.9, lines 16-49).

As per claim 22. A method as recited in claim 20, further comprising the steps for: transmitting the second broadcast across the network from the third client computer device to the second client computer device, wherein the second broadcast indicates an intent to despool print data to the printing device that corresponds to the second print job(Figs.1-34, col.9, lines 16-49); receiving a second response to the second broadcast from the second client computer device(Figs.1-34, col.9, lines 16-49); and despooling the print data corresponding to the second broadcast directly from the third client computer device to the printing device to process the second print job(Figs.1-34, col.9, lines 16-49).

As per claim 23. A method as recited in claim 22, wherein the third client

computer device is the first client computer device(Boswell, Fig.3).

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Backhean Tiv whose telephone number is (571)272-

3941. The examiner can normally be reached on 9 A.M.-12 P.M. and 1 -6 P.M.

Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Backhean Tiv
2151
6/21/05

ZARNI MAUNG
ERVISORY PATENT EXAMINER